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ROBERT T. JOHNSON, Esq.
District Attorney, Bronx County
BY: GABRIELLE SUSTERMAN, Esq.
Assistant District Attorney

A P P E A R A N C E S :

B E F O R E : HONORABLE MEGAN TALLMER

May 19, 2007
Bronx, New York 10451
215 East 161st Street.

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APPLICATION FOR A SEARCH WARRANT:

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COURT OF CRIMINAL TERM: PART AR-1

CRIMINAL COURT OF THE STATE OF NEW YORK

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- THE COURT: This is an application for a search warrant.
 MS. SUSTERMAN: ADA Susterman.
 THE COURT: Hi, Ms. Susterman, how are you?
 MS. SUSTERMAN: ADA Susterman.
 You, this is Officer Materi.
 You, this is ADA Susterman.
 THE COURT: Raise your right hand.
 MS. SUSTERMAN: Yes.
 Please, officer, do you swear that the statement
 you made in your affidavit is well those you are
 about to make are the truth under the penalty of
 perjury?
 OFFICER MATERI: Yes, I do.
 THE COURT: Now is this based on your
 personal observations, officer?
 OFFICER MATERI: Yes it is.
 THE COURT: What is this, you state that
 Bozon stated in sum and substance that he believes
 that is in the location, Your Honor, that lives
 -- who is Bozon?
 BOZON stated in sum and substance that he believes
 that is to the location, Your Honor, that lives
 OFFICER MATERI: He is the individual
 that is in the location, Your Honor, that lives
 there.
 THE COURT: So what does that mean that
 he stated in sum and substance that he, meaning,
 Bozon believes there is a semi-automatic rifle there
 OFFICER MATERI: Yes, Your Honor.

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THE COURT: I don't understand that an occupant of the apartment who is supposedly in possession of that information, how did you come in semi-automatic fire arm, believes that there is a growing Mexican bandidos that now at the an anything in the apartment that could be harmful.

OFFICER MAIER: I asked if there was anything in the apartment that he was interested?

THE COURT: He was interested?

OFFICER MAIER: Detained, not arrested.

THE COURT: Where is he right now?

OFFICER MAIER: Right now at the custody.

THE COURT: So at this point he is in state.

OFFICER MAIER: Yes, Your Honor.

THE COURT: Okay and he made a statement to you that there was a semi-automatic?

OFFICER MAIER: Yes he did, Your Honor,

THE COURT: Right, well, there is clearly first-hand knowledge here based on the officer's observations as well the defendant's admission so I am going to authenticate the witness.

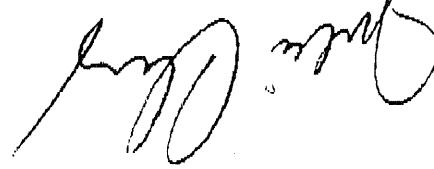
NOW, you are not asking for no-knock because the apartment is already --

OFFICER MAIER: A frozen location.

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Offical Court Reporter
Dale Cleary



written.

transcript of the stenographic minutes taken
certified to be a true and accurate

* * *

You could sign here.

THE COURT: All right then, officer, if

MS. SUSTREAN: No reason, Judge.

People, is there any reason to seal this?

THE COURT: Okay, all right, then,

OFFICER MAYER: Frozen.

THE COURT: Excuse me?

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